

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

COTTRELL BROADNAX,

Plaintiff,

v.

KATHERINE FERNANDEZ, et al.,

Defendants.

Case No. [22-cv-04363-JSW](#)

**ORDER OF TRANSFER AND OF  
PARTIAL DISMISSAL**

Plaintiff, a California prisoner at Kern Valley State Prison proceeding pro se, has filed a civil rights complaint under 42 U.S.C. § 1983. He claims that his sentence from Alameda County Superior Court is unlawful. He also claims that disciplinary proceedings at his prison are unlawful. Defendants are also located at Kern Valley State Prison.

Plaintiff's claim regarding his unlawful sentence may not be brought in a civil rights complaint. *See Skinner v. Switzer*, 562 U.S. 521, 533-34 (2011). He must bring such a claim in a petition for a writ of habeas corpus. *Id.* Accordingly, this claim is DISMISSED without prejudice to raising in a petition for a writ of habeas corpus.

The venue for Plaintiff's claim challenging disciplinary proceedings at Kern Valley State Prison is the Eastern District of California because Kern Valley State Prison lies within the venue of the Eastern District of California, *see* 28 U.S.C. § 84, and the events giving rise to the complaint occurred at Kern Valley State Prison, where Defendants are also located, *see* 28 U.S.C. §§ 1391(b), 1406(a).

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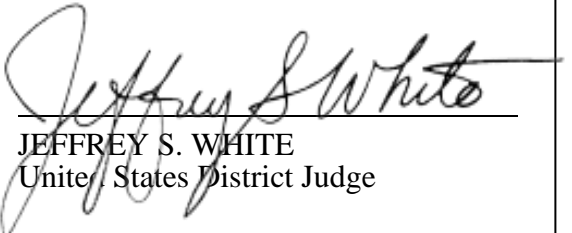
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1 Accordingly, IT IS ORDERED in the interest of justice, and pursuant to 28 U.S.C. §  
2 1406(a), that this action be TRANSFERRED to the United States District Court for the Eastern  
3 District of California.

4 The Clerk shall transfer this matter forthwith.

5 **IT IS SO ORDERED.**

6 Dated: September 23, 2022

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9 JEFFREY S. WHITE  
10 United States District Judge  
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United States District Court  
Northern District of California